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101st Congress
2d Session

HOUSE OF REPRESENTATIVES

STUDY MISSION TO BROWNSVILLE, TEXAS, MEXICO CITY, MEXICO, AND GUATEMALA CITY, GUATEMALA (DECEMBER 9-13, 1990)

REPORT

OF THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

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SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

(101st Congress)

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EXECUTIVE SUMMARY

From December 9–13, 1990, the House Select Committee on Narcotics Abuse and Control conducted a study mission to Brownsville, TX; Mexico and Guatemala. The delegation consisted of the following members of the Select Committee: Chairman, Charles B. Rangel; Ranking Minority Member, Lawrence Coughlin; Representatives Frank J. Guarini, Solomon P. Ortiz, and Wally Herger. Staff of Select Committee assisting the delegation included Edward H. Jurith, Staff Director; William S. Smith, Minority Staff Director; Rebecca Hedlund, Jennifer Brophy, Ruthie Thompson, and Mary Frances Valentino. Michael Hutton of Mr. Guarini's staff also participated in the Study Mission, as well as Special Agent Ken Feldman, Office of Legislative Affairs, Drug Enforcement Administration [DEA]; and Elizabeth Carroll of the Bureau of International Narcotics Matters [INM], Department of State.

On December 9, 1990, the delegation was briefed in Brownsville by DEA, Customs, and Department of Defense officials on narcotics intelligence, interdiction, and enforcement efforts on the Southwest Border. On December 10, 1990, at the previous request of Mr. Ortiz, the Select Committee held a hearing in Brownsville on the "Federal Drug Strategy Along the Southwest Border." Witnesses included representatives from Federal, State and local law enforcement agencies, and area drug abuse education and prevention specialists.

The delegation visited Mexico City from December 10–12, 1990, and, in addition to a successful meeting with President Carlos Salinas de Gortari, discussions were held with Foreign Minister, Fernando Solana Morales; Attorney General, Enrique Alvares del Castillo; Special Trade Representative, Herminio Blanco Mendoza; and Deputy Defense Secretary, General Ochoa Toledo.

From December 12–13, 1990, the delegation visited Guatemala City, Guatemala, and met with President Cerezo and members of his administration to discuss the dramatic increase in opium production in Guatemala in recent years, as well as an increase in cocaine trafficking from Colombia. The delegation also met with Guatemalan Presidential candidate Elias Serrano.[1]

The Brownsville hearing demonstrated the serious drug trafficking threat on the Southwest border with Mexico. DOD's Joint Task Force 6 and DEA's El Paso Intelligence Center have significantly increased the amount of intelligence and resource sharing among all levels of law enforcement along the border. Operational Alliance and the Southwest Border High Intensity Drug Trafficking Area (HIDTA) have enhanced Federal enforcement activities in the area, and forged important cooperative links with units of State and local law enforcement. Yet, southwest border communities are

[1] On January 6, 1991, Elias Serrano was elected President of Guatemala.

being heavily impacted by drug smuggling and drug related crime. The trafficking of drugs over the border has put a great strain on local criminal justice systems. Heroin trafficking is on the increase and while Federal officials claimed in mid-year that the price of cocaine rose and its purity fell indicating a shortage, recent seizures and trends appear to show no diminution in the cocaine traffic from South America via the Andes across the border.

The Brownsville hearing illustrated that while interdiction efforts are a vital link in the National Drug Control Strategy, they must be coupled with effective source country drug control and aggressive enforcement and demand reduction programs in the United States, if the strategy is to be successful.

The Select Committee had a successful visit to Mexico City. Drug control has emerged as a top priority of the Salinas Administration. The meetings with Mexican officials took place in an atmosphere of mutual respect and cooperation which, unfortunately, was not the history of United States-Mexico relations on narcotics policy in the past. Under Presidents Salinas and Bush, both nations recognize the seriousness of the problem and are devoting more resources and intelligence sharing to the drug effort. The Committee found unprecedented levels of cooperation between all levels of Mexican Drug Control agencies and their U.S. counterparts resulting in increased cocaine seizures, arrests, and eradication efforts.

The proposed free-trade agreement between the United States and Mexico played a prominent role in the delegation's talks with Mexican officials. The members underscored the fact that the free trade agreement can only help to strengthen the bilateral effort against narcotics trafficking because success of the trade agreement will of necessity have to be supported by an aggressive anti-narcotics campaign.

The delegation impressed in their meetings with Mexican officials the need to carry their campaign against drug trafficking even further to include a concerted attack on the infrastructure of the drug smuggling networks in Mexico. Final approval to the Mutual Legal Assistance Treaty (MLAT) with the United States was also urged, as was the need to continue and expand the eradication efforts of the Mexican Army and police.

Guatemala is emerging as a major source of opium production and is being increasingly used as a cocaine transshipment point by Colombian traffickers. The Committee was informed that the narcotic crop eradication program, conducted in cooperation with the State Department's Bureau of International Narcotics Matters, has eradicated most of the crop identified during the past growing season. Cocaine trafficking through Guatemala looms as a serious problem. Cooperative effort is needed between the United States, Guatemala, Mexico, and its other neighbors to ensure that Guatemala has the resources and intelligence necessary to effectively respond to the cocaine threat.

BORDER INTELLIGENCE BRIEFING—BROWNSVILLE, TX, DECEMBER 9, 1990

JTF–6

Chairman Rangel opened the meeting by welcoming the briefers. JTF–6, EPIC, and customs aviation operations conducted the briefing.

General Behrenhausen conducted the briefing on behalf of JTF–6. Joint Task Force 6 is now 1 year old with permanent staff on board. In November of 1989, Secretary Cheney approved of this new Joint Task Force to assist in controlling the flow of drugs entering the United States through the southern border. This was done in response to the national drug control strategy. CINFOR commander at that time was General Colin Powell, who initiated the plans for JTF–6. The 1990 DOD authorization directed training in interdiction areas. JTF–6's supply side effort revolves around interdiction.

General Behrenhausen stressed that JTF–6 is different from JTF–4 and JTF–5 which are both sea-based. JTF–6 is land-based and has no assets they can order around. They must be sensitive to legal restrictions on using the military for law enforcement purposes. It is a planning and coordinating body; it does not gather intelligence; it fulfills requests for support made by Federal, State and law enforcement agencies. The requests for support go through Operation Alliance, which coordinates all law enforcement activity in HIDTAS.

JTF–6 is located in El Paso and concentrates its efforts on the southwest border which has been deemed a high-intensity drug trafficking area [HIDTA]. Areas of responsibility include Arizona, New Mexico, and Texas, plus southern California. Approximately 80 percent of cocaine entering the United States is smuggled across the southwest border. General Behrenhausen stressed the limitations of JTF–6's authority to cross over onto private land without the owner's permission. JTF–6 also cannot cross the border for any reason.

General Behrenhausen defined JTF–6's short-term goal and long-term goals. In short-term, JTF–6 hopes that smugglers will feel the pressure of the added presence of DOD involved in border interdiction. This will be done by multiplying the efforts of the law enforcement presence. In the long-term, JTF–6 hopes that the supply of drugs entering the United States will be reduced significantly.

JTF–6 is beginning to diversify itself and deal with complex operations not directly on the border. Support requests for fiscal year 1991 have increased. Since October, there have already been 96 requests, whereas in the first year there were 175 requests. So far no requests have had to be turned down due to resources being allocated for Desert Shield.

Chairman Rangel expressed the desire to give greater authority to the military to protect the United States against these threats, as we would for other national security threats.

EL PASO INTELLIGENCE CENTER

Mr. Ed Heath, special agent in charge from EPIC, conducted the briefing. EPIC is the central depository of tactical, law enforcement

and interdiction-related intelligence on drug smuggling. Fourteen agencies maintain data bank systems and approximately 40,000 searches per month are conducted. The EPIC watch functions 24 hours a day, 7 days a week.

Mr. Heath commented that Mr. Bonner, the DEA administrator, is seeking to make EPIC a more complete intelligence center by adding strategic and operational intelligence capability. An upgraded capability is needed because, according to Mr. Heath, "We have not turned the corner on drugs entering the United States."

At this time EPIC does not see direct flights into the United States. Traffickers usually stop in Mexico to off-load their commodities for other means of border-crossing, for example, by horse. He complained that corruption in Mexico was a significant impediment to enforcement efforts.

Two main points were stressed by Mr. Heath. One, the traffickers are stopping in Mexico to refuel. This is important to note because aviation fuel is controlled by the Government, so somewhere along the line the traffickers are receiving cooperation. Two, EPIC's working relationship with the Mexican Government is good. The Mexican Government's main problem is they don't have the resources to respond.

EPIC believes the United States should try to eliminate drug traffickers' accessibility to aviation fuel in cooperation with Mexico. The United States should also initiate rules to prevent money laundering at "casa de cambios" which are independently owned currency exchange stores along the border.

The level of violence along the Southwest border since 1985 has changed. Prior to 1985 the organizations smuggling were primarily Mexicans. Now, traffickers from Colombia and Peru are involved in drug trafficking through Mexico due in part to a crackdown on Mexican traffickers as a result of the Camarena murder.

Mr. Heath concluded his briefing by stating that EPIC's primary mission is along the Southwest border rather than the Canadian border; however, there is some evidence of drugs being smuggled out of the United States into Canada.

Mr. Rangel suggested that Mr. Ortiz, Mr. Herger, and himself initiate legislation in favor of EPIC becoming a strategic center and generally enhance El Paso's capability within 2 years.

CUSTOMS SERVICE

The Customs Service also participated in the briefing. Mr. Jim Stone, an enforcement aviation specialist from the Customs National Aviation Center in Oklahoma City, briefed the committee on the status of flight operations within Mexico.

The P–3 program which consisted of two radar capable planes for monitoring drug smuggling ended in May because of internal pressure within Mexico. There is a new program in Mexico which consists of two Cessna Citation planes. The Mexican Government has plans to purchase two of their own Citations which have proven effective in tracking smuggling suspects. The Customs Service is currently training Mexican authorities in their use. This exemplifies the courage of the Mexican Government to continue in the fight against drugs despite the previous conflicts of U.S. efforts within

Mexico. In conclusion, customs acknowledged good cooperation with other U.S. Federal law enforcement agencies.

Congressman Rangel thanked everyone for their participation and welcomed any future suggestions on how Congress can be more supportive in their missions.

THE FEDERAL STRATEGY ON THE SOUTHWEST BORDER—DECEMBER 10, 1990

Panel I—State and local

Mike Scott, Commander of the Narcotics Service, Department of Public Safety, State of Texas.

Luis Saenz, District Attorney, Cameron County, TX.

Victor Rodriguez, Chief of Police, Brownsville Police Department.

Henry Garrett, Chief of Police, Corpus Christi Police Department.

Panel II—Federal

Warren Reese, Coordinator, Southwest High Intensity Drug Trafficking Area, Department of Treasury.

James C. Piatt, Regional Commissioner, Southwest Region, U.S. Customs Service, accompanied by Jerry Padalino, Assistant Regional Commissioner for Enforcement.

Mike Williams, Assistant Commissioner for Border Patrol, Immigration and Naturalization Service, accompanied by Silvestre Reyes, Chief of Border Patrol.

Ruben Monzon, Special Agent in Charge, Drug Enforcement Administration, accompanied by Fred Ball, Assistant Special Agent in Charge.

Panel III—education/prevention

Joseph A. Gonzalez, First Vice-President, Parents Association for Drug Rehabilitation and Educational Services, Brownsville, TX.

Terri Harkness, Director of Administration, Palmer Drug Abuse Program, Brownsville, Texas, accompanied by Howard B. Conkey, Director of Counseling, Palmer Drug Abuse Program.

Ronaldo Aguilar, Director of Student Assistance for Furthering Education, Brownsville Independent School District.

Prior to the hearing the Select Committee participated in an asset forfeiture check sharing ceremony. On behalf of the U.S. Customs Service, the Select Committee presented the Mayor of Brownsville, Ygnasio "Nacho" Garza and Chief of Police, Victor Rodriguez, with a $600,000 check. The Brownsville Police Department with the cooperation of the Customs Service were responsible for a narcotics arrest that led to the seizure of over $600,000.

This hearing was particularly timely and important because of the increasing amount of drug trafficking activity occurring across and within our domestic borders. Hampered by the stepped up U.S. enforcement on South Florida and the Caribbean Basin, Colombian drug traffickers have made a conscious decision to diversify smuggling routes to emphasize the 2,000-mile-long United States-Mexico Border. This had led to a dramatic increase in using Mexico as a transshipment point for cocaine from South American countries which, in effect, has contributed to an increase in land and air traf-

fic, an increase of drug use and abuse, an increase in violence, and a subsequent increase in Federal funding along the border.

The national significance of the lower Rio Grande Valley of Texas in the drug war is firmly established. For the past 2 years, the McAllen sector, which encompasses Brownsville, Falfurrias, Harilgen, Kingsville, McAllen, Mercedes, and Rio Grandes City, TX, has ranked as the number one smuggling point in the entire Nation. The number of seizures in fiscal year 1989 were double the amounts recorded in fiscal year 1988. In fiscal year 1990 and in the first quarter of fiscal year 1991 seizures are down. Drug law enforcement agencies are cautious to see this as a trend and a great deal of speculation exists.

Chairman Rangel opened the hearing by thanking Congressman Solomon P. Ortiz and the city of Brownsville for inviting the Select Committee to come to Brownsville to hear the effects of the intensive drug problem along the southwest border, including the impact on the criminal justice and law enforcement community, and on the local schools. He concluded by stating that the voracious appetite for drugs is being satisfied by a variety of foreign sources that penetrate our borders and flood our society with these poisons. In recent months, Representative Ortiz has kept the Committee abreast of the escalating drug trafficking and consequences of trafficking across the border.

Mr. Ortiz and Mr. Herger expressed their gratitude to Chairman Rangel, Congressman Ortiz and the city of Brownsville for conducting the hearing. Both Members expressed the urgency of this hearing, knowing what a vital role the border plays in this war.

Representatives from State and local law enforcement agencies were the first to testify. The panel echoed a similar theme; the southwest border because of its geographical location provides an ideal locale for the smuggling of narcotics into the country. Mike Scott informed the Select Committee that it is estimated that almost 50 percent of the cocaine smuggled into the United States is transshipped through Mexico and across the border. The traffickers are innovative, well-equipped and often rely on an "underground" communication network to monitor the efforts of law enforcement officials. Funding delays are detrimental for proposed narcotics programs, particularly the Southwest Border Control Strategy and U.S. Attorney's Office in Houston.

There has been a literal explosion of criminal activity associated with narcotics smuggling including murder, torture, shootings, and bribery. The level of violent crimes and other victimized types of crimes—auto theft, burglary, assault—are related to the availability of contraband. Very little escapes drug trafficking. The officials have seen violent murders, they have seen public officials tainted, and person after person, young and old, arrested for drug trafficking. Execution-type murders have been on the rise in the recent past. These types of killings tend to occur within organizations to ensure loyalty and to prevent theft.

As far as the level of cooperation, Chief Rodriguez informed the Committee that the lack of communication and/or coordination is inherent in combined task force investigations because agencies must continue to pursue their separate objectives. The other State and local agencies stressed that they continue daily to improve the

level of coordination and cooperation with all the other drug law enforcement agencies.

With the increase of narcotics trafficking has come an increase in money laundering. Casa de cambios, money exchange houses, offer a variety of services that criminals use to launder tainted cash. Besides exchanging money, they often wire transfer funds, sell money-orders, and act as money brokers. These operations are not regulated and far outnumber the tourist demand for them while providing the ideal circumstances for the laundering of drug money. The Brownsville area was amongst those with the lowest per capita income, yet local financial deposits equal approximately $11,000 per every man, woman and child in the area.

Congressman Ortiz questioned Mr. Rodriguez about the level of cooperation and coordination with the Mexican Government. Mr. Rodriguez responded that when cooperation is asked for, the Mexican Government does respond, not always in a timely fashion, but they do respond. Mr. Saenz added that there are indications that cooperation is improving.

Mr. Garrett responded to the Chairman's questions on whether or not he has felt the support of the Federal Government, by stating he does not believe that we have a commitment from the Federal Government.

Mr. Scott stressed that the recent appropriation to establish, within the Department of Defense, a National Drug Intelligence Center in Pennsylvania will only serve to exacerbate the serious duplication of the drug intelligence gathering effort. Adequate funding should be provided to expand current intelligence gathering activities performed by El Paso Intelligence Center [EPIC]. In addition, under HIDTA, funding for proposed programs will not be available until mid-February 1991, almost 6 months into the fiscal year. Mr. Scott expressed concern over this delay in obligating funding for fiscal year 1991.

Mr. Saenz asked that more emphasis be placed on strong drug education at the elementary school level. Children need to be provided with positive activities to prevent idleness which leads to involvement in drugs. Law enforcement is not enough; if there is no consumer demand for drugs then the drug organizations will go out of business. Chief Rodriguez suggested similar prioritization of community based prevention programs.

Chief Garrett suggested that we reward cooperative drug efforts carried out by Federal and local agencies, reward a pro-active approach to drug abuse which focuses on cooperative efforts between local law enforcement agencies and school districts, and assist the continuation of successful cooperative efforts between law enforcement agencies by providing grant opportunities for specialized enforcement units.

The January 1990 National Drug Control Strategy designated the Southwest border as a High Intensity Drug Trafficking Area [HIDTA] and identified coordination of Federal, State and local agency efforts as a critical factor in effective drug law enforcement. As stated in the strategy the purpose of the high intensity drug trafficking area designations is to identify areas experiencing the most serious drug trafficking problems and to determine the most pressing need for Federal intervention. The Department of the

Treasury was designated as the lead agency responsible for such coordination, through Operation Alliance. Created in 1986, Operation Alliance is composed of Federal, State and local government representatives responsible for coordinating interdiction activities on the border. The U.S. Customs Service, the Border Patrol, and the Drug Enforcement Administration are among the Federal agencies participating in Operation Alliance.

Early in 1990, Operation Alliance solicited the participation of all involved agencies in the preparation of a Southwest Border Strategy which is now in the process of distribution. The strategy is intended to grow and undergo modification as strategic assessments change.

The Southwest Border Strategy emphasized that interdiction and enforcement efforts will continue to be designed to deter the introduction of drugs into the United States and the flow of money, arms and contraband to Mexico from the United States. The Office of National Drug Control Policy [ONDCP] was allocated $25 million to fund Federal agency efforts in the implementation of the National Strategy HIDTA program for 1990. Operation Alliance submitted a funding proposal to ONDCP which approved $10.66 million for investment in the Southwest border HIDTA. Among the principal features of the implementation plan for 1990 were: First, enhanced detection and interception capabilities at and between the ports of entry; second, Federal, State, and local multiagency operations, utilizing the expertise and technical capability of the DOD and National Guard units, and third, intensified anti-corruption efforts.

The fiscal year 1991 Treasury/Postal appropriations bill provides $82 million to finance HIDTA initiatives including $50 million for Federal agencies, and $32 million for State and local agencies. The ONDCP has directed that Federal agencies give priority funding for 1991 to financial activities of trafficking organizations, intelligence and technology. The State and local programs have been directed to support multijurisdictional initiatives focusing on drug-related violence and dismantling of drug trafficking organizations. No distributions have been made of the fiscal year 1991 funds.

The second panel of Federal Drug Law Enforcement agencies presented a somewhat different picture. Mr. Warren Reese of Operation Alliance stressed that the President's White Paper on Leading Drug Indicators, which was published this past September, indicates that drug use is down. He continued that our border operations have been enhanced to interdict an increased flow of illegal drugs from Colombia to Mexico, with seizures of substantial quantities of cocaine in the past few weeks and an expected resurgence in marijuana importation.

The Customs Service has also been able to make numerous additional drug seizures because of the additional manpower provided by the National Guard. The emphasis of a multi-agency law enforcement strategy along the Southwest border includes the integration of State and local law enforcement agencies into Customs' law enforcement operations. There are approximately 300 National Guard members working with Customs in Arizona and California. DEA has cross designated 322 Customs agents in the Southwest,

that's three-fourths of Customs agents who are assigned to the Southwest.

Under Operation Alliance, the U.S. Border Patrol has been designated with the primary responsibility for drug interdiction between ports of entry on the southern land border. Together with the U.S. Customs Service, the Patrol has worked to interdict drugs being smuggled into the United States in commercial cargo and private vehicles, as well as, on individuals. In fiscal year 1990, the Immigration and Naturalization Service [INS] received approximately $3.2 million specifically for High Intensity Drug Trafficking Area [HDTA] activities. This money was used to acquire additional security interoperable radios, tactical sensors, and to conduct special interdiction operations.

The DEA has been targeting the seizure of drug assets. Asset forfeiture deprives the traffickers of the monetary resources needed to operate, and it reduces their power base. In the McAllen District, over $30 million in drug traffickers' assets have been seized. The DEA is also concerned with reducing the demand for drugs in local communities. They are actively working with various educational, business, and civic organizations within the communities along the Southwest border.

Mr. Ortiz questioned Mr. Monzon on whether or not he believed there was sufficient DEA manpower in Brownsville. Mr. Monzon indicated that there was in fact not sufficient manpower and that this is causing operational difficulties, but anticipates a substantial increase in fiscal year 1991.

The third and final panel presented an overview of the prevention and education programs offered in the Brownsville area. Brownsville serves as an example of cooperative education programs that reach out to our at high-risk youth. It is the Committee's belief that this is a crucial component in the drug war.

PADRES is a prevention and intervention program created by a group of concerned citizens, who felt that not enough was being done about the substance abuse problem in Corpus Christi, TX. PADRES places a special emphasis on youth and families living in high risk environments.

The objective of the Palmer Drug Abuse Program [PDAP] is to provide prevention, education and indepth support to young people and their families whose lives have become affected by substance abuse. PDAP is the only completely free program of its kind in the community. It relies on public and private support to sustain its $122,000 a year budget.

The Brownsville Independent School District is the largest school district in the Rio Grande Valley and the 14th largest in Texas with grades PK–12. In early 1985 a formalized drug-free program was instituted combining prevention, intervention and referral services. In addition to the 16 educational programs maintained within the schools, the district works very closely with the community. Such efforts include the use of community leaders as guest speakers and role models, the referral of students and families to community-based counseling, as needed, and the coordination of activities with area law-enforcement agencies.

Since 1987, the School District has received a total of $652,838 from the Drug Free Schools and Communities Act of 1986. Al-

though a majority of this money has been allocated to staff development, shortages of personnel within the counseling department continues to concern school officials.

The third panel recommended a Federal increase in the amount of money provided to school districts to supplement counselors and other social work personnel. Financial support for referrals and treatment of high-risk students, and potentially, and lastly, halfway house provisions for students following treatment.

The Chairman concluded the very informative hearing by thanking the witnesses, the city of Brownsville, and Mr. Ortiz for their dedication and commitment to end the drug scourge that is plaguing our Nation.

Mexico

EMBASSY TEAM BRIEFING

The Committee delegation arrived in Mexico City late on Monday, December 10, and were briefed by a team of Embassy specialists on the political and economic situation in general and the narcotics situation in detail. The briefing was led by Ambassador John D. Negroponte, and included Deputy Chief of Mission Robert Pastorino; John Crow, Narcotics Affairs; Ralph Saucedo, DEA Country Attache; Allen Sessoms, Minister Counselor for Political Affairs; Don McConville, Minister Counselor for Economic Affairs; Ann Low, economic officer; General David Cole, Defense Attache; Ronald Ward, Legal Attache; Richard Cramer, Customs Officer; James Mittica, DEA; Arthur Nietu, Immigration Officer; William Moore, Political Officer; Pat Langford, Minister for Consular Affairs; and Coral Knehans, special assistant to the Ambassador.

Chairman Rangel informed the Embassy personnel that Committee Members had heard a great deal of praise for the Salinas Administration's anti-narcotics efforts and that the delegation wanted to lend its support to any strong anti-narcotics initiatives by the Mexican government. In particular, the delegation hoped to be helpful to the mission of the Embassy as it cooperated with the Mexican government in narcotics control. The Chairman also expressed his hope that the narcotics issue was given due importance by the Embassy in its dealings with the host government.

The Ambassador assured the delegation that his instructions from the Secretary of State, in terms of the Embassy's priorities, were that there were two lead issues: the narcotics control agenda and support for the Administration's economic reform efforts, especially in promoting free trade. In terms of the Embassy's resources, a great deal is dedicated to law enforcement in general and narcotics control in particular.

Political and Economic Situation

President Salinas' commitment to economic reform is strong. He has realized that the old economic model did not work, and is committed to trying alternatives. The Mexican Administration has fought to bring inflation under control. They have privatized industries previously under Federal control, and have attempted to restore investor confidence. They are having an impact on investment both in terms of foreign investment and the repatriation of

Mexican capital. This economic reform is very important for the future of the free trade agreement.

President Salinas is also attempting political reform. Mexico has had one political party, the Institutional Revolutionary Party (PRI) that has ruled since 1929. They are trying to introduce competitiveness within the PRI party structure. The opposition parties are finally scoring small political successes—a dozen cities now have mayors from opposition parties. The National Action Party (PAN), a conservative opposition party, has been doing fairly well and taking votes from the PRI. The Mexican left has not done as well. They have suffered from internal struggles.

Allegations of human rights abuses have persisted for years. There is a new Mexican human rights commission which has become very active. Shortly after the establishment of the new commission, Deputy Attorney General Coello Trejo, the Mexican "Drug Czar," was removed from his position because of allegations of human rights abuses.

The new government has cooperated with the United States through United Nations initiatives on a variety of issues. Mexico was very supportive of the United Nations resolutions from the earliest days of the Iraqi invasion of Kuwait. Mexico is now working with us in the United Nations in trying to bring peace to El Salvador and throughout Central America. Mexico has promised to help Nicaragua in terms of both oil and debt restructuring.

Narcotics Control

Mexico is a major producer of heroin and marijuana. Approximately 30 percent of the heroin and 75 percent of the marijuana consumed in the U.S. originates in Mexico. In addition, Mexico has become a major transit point for cocaine destined for the United States, with estimates between 50 and 70 percent of the cocaine entering the U.S. being transshipped through Mexico.

More than 80 tons of cocaine have been seized since President Salinas came to office. Estimates are that between 250 and 550 metric tons of cocaine now transit Mexico annually. Since President Salinas assumed office, the Office of the Attorney General (PGR) reported it seized 80,903.4 kilograms of cocaine, 936.8 metric tons of marijuana, 988.6 kilograms of opiates, 6,278 land vehicles, 9,207 weapons, 129 airplanes, and 17 boats. In addition, 64 PGR agents have been killed in the line of duty during the drug war.

Narcotics control cooperation has never been better. The Mexican authorities are eager to be the ones to take enforcement action.

The PGR coordinates anti-narcotics operations, and appointed Jorge Carrillo Olea as "Drug Czar," now with the rank of general coordinator. The PGR has the primary interdiction responsibility. The PGR shares responsibility for manual crop eradication with the Defense Ministry. The PGR conducts aerial reconnaissance and surveys, aerial spraying, and aerial verification flights. The Defense Ministry receives information on production sites and sends troops to manually eradicate the fields. The army assigned one quarter of its 100,000 troops to manual eradication. Eradication of cannabis and opium poppy continues at about the same level as in the past few years.

The PGR initiated a special nationwide pre-planting season antinarcotics campaign in June. In addition to reconnaissance flights and destruction of young crops and seedbeds, the campaign included investigation of ownership of suspect fields. This was a first time effort to link illicit crop eradication with apprehension of suspected traffickers.

The Defense Ministry has just purchased 20 new Bell helicopters to assist transporting troops to eradication sites. They would like to acquire more aircraft and overland vehicles. In addition to eradication, the Defense Ministry also destroys illegal airstrips used in smuggling cocaine from South America to the United States. Since March 1990, they have destroyed over 600 airstrips.

The Embassy has worked with the Mexican government during the past year to develop the new Northern Border Response Force (NBRF) to intercept cocaine laden aircraft. The NBRF utilizes two radar equipped Cessna Citation aircrafts to train PGR personnel in realistic interdiction missions. The NBRF just received nine UH-1H helicopters from the United States to assist border interdiction at two northern bases.

The Mexican Navy continues to operate on its own and in collaboration with the U.S. Coast Guard in maritime interdictions.

The Ambassador expressed his confidence in the sincerity of the President's commitment to fight drugs. Mexico has seen traffickers developing undue influence in a number of States and under Salinas has acted to eliminate this influence. The President has recognized that the war on drugs is in the Mexican self interest, and sees drug trafficking as a national security threat. He has increased spending on narcotics from the 1988 level of $23.1 million to $63 million in 1990.

The Committee received an extensive classified briefing on intelligence sharing with the Mexican law enforcement and the Mexican military.

The Salinas Administration is mindful that there is a need to improve the professionalism of its law enforcement forces and has instituted new policies to address the problem of corruption both within the PGR and the military. The Mexican Federal Penal Code initiated 50% longer prison terms with no chance of parole for government officials convicted of narcotics-related corruption offenses. As a result, over 400 federal judicial police commanders and military officers have been fired, arrested, or prosecuted.

One way to disrupt the drug traffickers' routine is to attack the infrastructure of the traffickers, such as to make aircraft fuel more difficult to obtain. Colombian planes offloading in Mexico need to refuel to get back to Colombia. The Mexican government has requested assistance in terms of information and material from the U.S. government to dismantle these narcotics trafficking organizations.

The Alvarez Machain case initially was a very difficult issue for U.S.-Mexican relations, but the sensitivity of that issue has subsided. The Camarena case is gradually coming to a close, but is not yet complete.

An issue related to narcotics trafficking that has become important to the Mexicans is the flow of illegal weapons out of the United States into Mexico. The weapons are easily accessible all

along the border and travel as easily southward across the border as drugs travel northward across the border. The PGR has confiscated a number of weapons which had originated in the United States.

The August 1989 U.S.-Mexico Binational Commission established joint working groups to share and exchange information on mutual drug eradication and interdiction activities as well as demand reduction initiatives.

The U.S.-Mexico Tax Information Exchange Agreement provided legal means to exchange information relative to criminal and civil tax cases against drug-traffickers and money launderers. The Tax Information Exchange Agreement has been in effect for six months. An even more comprehensive tax treaty is under negotiation.

Mexico signed the 1988 United Nations Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances in December 1988. It was ratified by the Mexican Senate in November 1989.

In addition to the Mexico-U.S. bilateral anti-narcotics agreement, which is in compliance with the Chiles Amendment, Mexico has entered into bilateral anti-narcotics agreements with Guatemala, Belize, Canada, Costa Rica, Venezuela, Peru, Colombia, Spain, Great Britain, Bolivia, Paraguay, and Cuba.

Mexico hosted the Organization of American States Ministerial Drug Conference and the International Drug Enforcement Conference meeting in April, 1990.

A Mutual Legal Assistance Treaty (MLAT) was negotiated and signed by the United States and Mexico several years ago. The Mexican Senate ratified the treaty. When the U.S. Senate subsequently ratified the MLAT, they attached two understandings. These understandings are considered controversial in the eyes of the Mexican Senators, and they have not yet agreed to them.

The Mexican Constitution permits the government to confiscate and redistribute land not used for socially acceptable purposes. Accordingly, Salinas confiscated 175,000 hectares in Chihuahua from drug traffickers and turned them over to 1,000 peasant farmers.

Although a bilateral extradition treaty is in force between Mexico and the United States, Mexico prefers to deal with extradition of non-Mexicans on a case by case basis. The treaty does not allow Mexican citizens to be extradited.

A new law covering the legality of asset seizures has resulted in over $1 billion of narcotics-related asset forfeitures under the Salinas administration.

Mexico has a serious alcohol and inhalant problem, due to their low cost and easy availability. The 1988 Mexican national household drug abuse survey indicated that at one time or another, 4.8% of the urban population had tried one or more of the surveyed drugs.

Marijuana is the most commonly abused illegal drug. Mexico does not have a serious heroin problem and the expense of cocaine seems to keep widespread use of that drug down.

MEETINGS WITH MEXICAN OFFICIALS

The Select Committee delegation conducted a series of meetings with Mexican officials involved in the narcotics fight. The highlight of the visit to Mexico was an hour-long meeting with President Salinas at the conclusion of the stay. In addition to the narcotics meetings, the delegation met with the Mexican Special Trade Representative on trade issues. The principal Mexican officials that met with the delegation included:

Hon. Carlos Salinas de Gortari
Gen. Ochoa Toledo; Undersecretary of Defense;
Hon. Enrique Alvarez del Castillo, Attorney General;
Hon. Luis Octavio Porte Petite, Deputy Attorney General for Legal Matters;
Hon. Jorge Carillo Olea, Coordinator for Narcotics Matters;
Hon. Fernando Solana Morales, Foreign Minister; and
Dr. Herminio Blanco Mendoza, Special Trade Representative
Mexican Parliamentarians.

The meetings were characterized by an atmosphere of dedication, cooperation and understanding. The delegation shared with the Mexican officials that they were extremely impressed by the anti-narcotics initiatives recently undertaken by the Mexican authorities. Past Select Committee delegations had observed various levels of cooperation to the narcotics fight, but never had the delegation members witnessed this excellent level of cooperation. Indeed, the delegation felt that U.S.-Mexican relations on all major fronts had never been better, and that officials on both sides of the border were coming together as friends and neighbors to cooperate on a host of important issues of benefit to both nations.

Defense Ministry

The Ministry of Defense dedicates a quarter of its human resources; about 12,000 to 15,000 troops, to manual eradication. Between the country's marijuana and opium poppy crops, the eradication effort is a year-round activity. The financial resources have not changed, and eradication troops are still on foot. They would like more resources to transport troops to eradication sites. The General felt that the army's manual eradication, pulling the plants out of the ground and burning them, was more effective than aerial spraying of crops.

Mexican military officials involved in eradication recently met with their counterparts in the California National Guard to share information. They plan to have more of this type of exchange in the future, possibly with National Guard units involved in marijuana eradication in other states.

The delegation, while enthusiastic about the new level of cooperation, was concerned that, as in the past, most of the narcotics control efforts had been greatly outpaced by increased production and trafficking. General Ochoa responded, "we may not yet be winning, but at least we are tied."

In the assessment of General Ochoa, manual eradication and aerial spraying are equally dangerous. The growers have all kinds of weapons and do not hesitate to use them on low flying aircraft or on foot soldiers. The weapons come from the United States. The

Mexicans would like our help in stopping the flow of such weapons into Mexico.

Office of the Attorney General

Under Attorney General Alvarez, Mexico has strengthened penal legislation. Drug violators have no access to freedom, including bail. Jail sentences for various drug trafficking offenses have been increased. In addition, the Attorney General has made a concerted effort to address human rights violations. They now require the presence of a lawyer during questioning to eliminate any undue action that could be employed by law enforcement. They have undertaken a process to update the administration system.

The bilateral narcotics control agreement with the United States is now in full force. Cooperation has been excellent and they plan to continue in the same good spirit. The Attorney General emphasized that respect for each other's sovereignty and the way each country works is important in a mutually beneficial working arrangement.

A recent, increasingly serious phenomenon in the last few years is the use of Mexico as a major transshipment country for cocaine destined for the United States. The Attorney General said that they need to determine who the drug trafficking figureheads are within Mexico and go after them and their organizations.

Attorney General Alverez had just met with U.S. Attorney General Thornburg the previous week and discussions had gone very well. One area of future cooperation that they had discussed was concerning the control of precursor chemicals.

The Attorney General also raised the issue of arms smuggling and that this southward smuggling across the border needed to be stopped. He noted that the trafficking of weapons was mainly in the hands of drug traffickers.

The delegation raised the issue of the Mutual Legal Assistance Treaty [MLAT] which the Mexican Senate still has to ratify, and expressed their empathy for the opposition to the understandings attached by the U.S. Senate. Nonetheless, delegation members felt that the potential benefits to both countries from the MLAT would be to greatly enhance law enforcement cooperation and effectiveness, and encouraged the Attorney General to urge the Senate to ratify the treaty. The Attorney General concurred that his office would benefit from the treaty.

The Attorney General indicated to the delegation that he would like to be in a position to offer farmers the opportunity of making a living without resorting to illegal crops.

Foreign Ministry

The Foreign Minister also informed the delegation that he felt that cooperation had greatly improved, and that a new frankness and understanding had emerged in bilateral narcotics discussions.

Minister Solana told the delegation that during the week of their visit he would be sending a paper to the Mexican Senate encouraging ratification of the MLAT. He could not predict the outcome in the Senate, but was hopeful that the MLAT would be ratified.

In response to a question about preventing casas de cambio from engaging in money laundering, the Foreign Minister informed the

Committee that a good part of the money exchanges in Mexico are required to be under commercial banks which are regulated. As a result, the casas de cambio in Mexico are often merely bank subsidiaries, and, as such, are regulated.

Parliamentarians

The delegation met informally with a large group of Mexican parliamentary leaders, including many who participate regularly in the annual U.S.-Mexico Interparliamentary Union. The discussions were very cordial and hopeful for further improvement in U.S.-Mexican narcotics control cooperation.

Trade Representative

Dr. Herminio Blanco Mendoza, the chief negotiator of the proposed Free Trade Agreement, briefed the members on the status of the Mexican economy and the need for a Free Trade Agreement with both the United States and Canada. Mexico has dramatically improved its economy since the early 1980's by promoting economic stability and growth. Through budget austerity measures, fiscal reform and the privatization of over 900 government ownedbusinesses, Mexico has substantially reduced its budget deficit of 8 percent of GDP in 1982 to an 8 percent surplus in 1990. This does not include Mexico's significant foreign debt, which has been restructured under the Brady Plan.

Dr. Blanco stressed the importance of opening up the economy by introducing competition and lowering tariffs on most products. Mexico is counting on a Free Trade Agreement with the United States and Canada to achieve its goal of a modern competitive economy. Dr. Blanco does not feel that narcotics issues should be linked to the Free Trade Agreement.

Chairman Rangel shared with Dr. Blanco the positive spirit of the meetings on narcotics control cooperation that the delegation had with the Mexican officials. The Chairman pointed out, however, that it is politically impossible in the United States to avoid the narcotics issue when discussing the Free Trade Agreement. Congressman Coughlin cautioned Dr. Mendoza that while free trade may be a desirable goal, the free trade of drugs is not.

Congressman Guarini cited the unique opportunity that the Free Trade Agreement would create for developing new attitudes among the people of Mexico and the United States, which would establish a basis for resolving important issues including the drug problem, the environment and immigration. Given the increased competition from Europe and the Pacific Rim countries, Congressman Guarini also stressed the need for a Free Trade Agreement.

Congressman Ortiz expressed concern about the impediments to an agreement including the obvious wage differences. Dr. Blanco pointed out that with or without a trade agreement, certain industries will leave the United States and that it was better that these industries relocate to Mexico than to the Pacific Rim, because workers employed in Mexico are more likely to buy U.S. made goods.

Congressman Herger expressed his concern about "competing on a level playing field," especially given the different quality control standards and safety regulations.

Overall, the members expressed their optimism that a Free Trade Agreement was possible, but that the narcotics problem must be dealt with during the negotiations. The Committee invited Dr. Blanco to meet with members in Washington, especially with the Ways and Means Committee.

Meeting With President Salinas

The highlight of the delegation's visit to Mexico City was its meeting with President Carlos Salinas de Cortari. The President told the delegation that open and honest communication between the United States and Mexico was the key to successful relations between the two countries.

The President stated that a new atmosphere of optimism was sweeping over Mexico. He attributed this to successful economic policies that have reduced inflation, attracted foreign investment, lowered the national deficit, and expanded social services through the sale of government owned industries. Mexico views the proposed Free Trade Agreement with the United States as a natural extension of these successful policies.

President Salinas told the delegation that expanded trade in the Western Hemisphere will permit permanent economic recovery. The collapse of the recent GATT talks in Geneva will make it even more imperative that Mexico and the United States move forward in a bilateral fashion in expanding trade opportunities. The President expressed the view that Mexico and the United States will face strong economic pressure from a United Europe and the Pacific Rim in the near future, and that it makes strategic sense for our nations and Canada to unite in a free trade zone.

Addressing the issue of the feared loss of American jobs under the Free Trade Agreement, President Salinas expressed the view that he wants Mexicans working in Mexico in good jobs at good wages. He stated he believes that the United States' job markets will expand by the creation of new opportunities for American business and industry in Mexico.

On the subject of narcotics control, the President told the members that his Administration was giving the highest priority to fighting "this curse of humanity." He stated that he did not feel there needed to be a formal link between the drug control issue and the free trade agreement and that Mexico's policies in both areas were part of the same commitment to build a vibrant society. He cited the loss of life suffered by Mexican police and military in the drug effort as a sign of this commitment. He pointed to the increased penalties that have been enacted during his Presidency directed both at drug trafficking and corruption as a further sign of the effort of Mexico in the fight against narcotics.

President Salinas indicated that Mexico will soon be buying 40 additional helicopters to further enhance the cocaine interdiction program that is being conducted with United States intelligence sharing and assistance. The President pointed to the success of the Northern Border Response Program to date, and stated that the program can be improved further. He stated that Mexico and the United States need to work together to ensure that Central Amer-

ica does not become a staging area for Colombian cocaine traffickers.

The President also stated that his government is committed to improving the environment and quality of life in Mexico. He concluded his remarks by again pointing to the greater confidence Mexico is experiencing across the board.

The Members of the delegation warmly received the President's remarks. Chairman Rangel took note of the new change in attitude in Mexico in dealing with the drug problem. Mr. Rangel stated, "We are looking at the same problems in different ways." On the subject of free trade, the Chairman stated that the final trade agreement will need to make some recognition of the drug issue. Mr. Guarini concurred in the Chairman's position. He told President Salinas that successful development of the trade pact should also take into account worker protections that exist in the United States under OSHA and the Fair Labor Standards Act.

Congressman Ortiz informed the President that he believed that the Congress will see that merit behind the Free Trade Agreement and Mr. Herger indicated his excitement in seeing Mexico moving to reduce trade barriers.

In response on the Free Trade Agreement, the President stated that while he did not see the drug issue being part of the agreement, it was certainly part of the dialogue.

Mr. Coughlin told President Salinas that the delegation was interested in seeing final implementation of the Mutual Legal Assistance Treaty (MLAT), and that the excellent Mexican enforcement program developed to date needs to be expanded to attack the base of the drug trafficking organizations and arrest the kingpins. In reply, the President told the delegation that no one in Mexican law enforcement will stop at anything or anyone within the law and with due regard for human rights, in the enforcement of Mexican narcotics laws.

In conclusion, the Chairman reiterated the delegation's optimism from its meetings and discussions in Mexico. He told the President that when the delegation returns to Washington, it will place in the Congressional Record the names of Mexican law enforcement and military personnel who have been killed in the war on drugs.

Guatemala Embassy Team Briefing

December 12, 1990

The Committee arrived in Guatemala City on December 12, 1990, and directly went to the American Embassy for a briefing by Ambassador Thomas F. Stroock.

Ambassador Stroock opened the briefing by welcoming the Committee as one of the first full-force delegations to visit Guatemala investigating the narcotics situation. The briefing was led by the Ambassador and included Deputy Chief of Mission, Philip B. Taylor; Thomas Tonkin, Political Officer; Shirley Hart, Economic Officer; Col. Allen Cornell, Defense Attache; Col. Armando Lujan, Military Group; Dave Adams, AID; and Bob Stia, DEA.

Congressman Rangel informed the Embassy of the Committee's concern on the use of Guatemala for the transshipment of cocaine. Guatemala is uniquely located for cocaine trafficking because it is

almost halfway between the Colombian cocaine processing labs and the American market. Cocaine traffickers rely largely on light aircraft using remote airstrips along the coasts or in the Petén to take cocaine into Guatemala. The Government of Guatemala has no radar capability for tracking the trafficker aircraft, nor the interdiction capacity to intercept them. The Committee expressed its willingness to support the U.S. Anti-Narcotics Mission in Guatemala.

The Ambassador also solicited the Committee's support during Guatemala's transition period after the Presidential election on January 6th. The Guatemalan people went to the polls on November 11th to vote in both Presidential and congressional races. Since none of the twelve Presidential candidates received a majority, the two candidates with the highest percentage of votes will face each other in a run-off election. Jorge Serrano Elias, a Protestant, stunned the Guatemalan political establishment by finishing among the top two. Serrano is a former official in the military regime of Gen. Efrain Rios Montt. Serrano ran as a dark horse because his party, the Solidarity Action Movement (MAS), was not considered widely known in all areas of the country.

Serrano will face Jorge Carpio of the Centrist Union of the National Center (UCN). Carpio owns the second largest newspaper in the country. Unlike Serrano's MAS, the UCN is a well-financed, well-organized party with connections throughout all Guatemala.

The Ambassador assured the Committee that whichever of the two leading candidates wins, the new administration will be friendly toward the United States, efficient, and work to curb human rights violations and drug trafficking. The Committee agreed to lend its support during the transition period after the elections.

Unlike earlier Ambassadors, Ambassador Stroock has more freedom of movement because the Marxist-Leninist insurgency has died down since October 1989. The Ambassador now can focus his mission on two other important issues. One, to come down hard on any agency violating human rights and two, to curb guerrilla activity that exists in the forms of robbery, contraband, and alleged drug trafficking.

The Ambassador shifted the briefing to the current illicit narcotics problems in Guatemala. The country is a large bridge between drug-producing countries. The State Department's efforts in Guatemala are focused on assisting and supporting Guatemalan interdiction efforts. There is a 5-man DEA office in the U.S. Embassy which also is responsible for Belize and El Salvador. They reported that the Guatemalan authorities recently captured 13 tons of cocaine being transshipped through Guatemala. In responding to the Committee's offer for support, Ambassador Stroock suggested that the Committee can best help by supporting the DEA agents working in Guatemala and backing the State Department's mission in support of the government's efforts to bring the guerrilla war to an end.

Congressman Coughlin, the ranking minority member, brought up the issue of Guatemala's air assets. Guatemala has no air capability of their own to spray opium fields. Two Thrush aircraft and two search and rescue helicopters, provided by INM, but manned by the American pilots who are contracted by INM, are used for

aerial eradication. The Government of Guatemala has given total cooperation to the United States in anti-narcotics efforts in that they have not refused any United States request.

According to the March, 1990, International Narcotics Control Strategy Report, illicit opium production cultivation nearly doubled in 1989 and the first laboratory for cultivating raw opium to morphine base was discovered along the border with Mexico. It is estimated that nearly 1,500 hectares of opium poppy are under cultivation. Without eradication, potential opium production could reach 15 metric tons annually. According to State Department figures, approximately 90% of identified opium crops have been sprayed, yet there are opium poppy fields which are shielded by other trees that go undetected by both aerial inspections and satellites. In further cooperation with the United States, the Guatemalan Government has agreed to increase cooperation in aerial detection. This was done in response to a Washington initiative and in 1991 there will be an additional U.S. presence in Guatemala.

An increase in drug trafficking activity, especially the transshipment of cocaine, has been noted in Guatemala. Seizure statistics covering FY-90 reflect that 13 tons of cocaine have been seized in domestically initiated investigations; 10.7 tons of this cocaine were transported into Guatemala by the Cali cartel. During all of 1989, there were 4 tons of cocaine seized. This rise in trafficking activity through Guatemala is directly attributed to intensive law enforcement pressure being applied in Colombia and the unavailability of traditional favorite operating locations such as Panama.

According to the DEA, there is a definite Colombian presence in Guatemala. Colombians are buying homes and businesses and acquiring false passports. There are at least five known Colombian-organized groups engaged in drug trafficking. The DEA is responding to Guatemala's narcotics situation by acquiring an intelligence analyst, an additional agent, and an aircraft, and by taking away El Salvador as an area of responsibility of the office in Guatemala.

The transportation of cocaine aboard air cargo shipments departing Guatemala and the overland shipment of cocaine by tractor trailer through Mexico are two serious problems being encountered in Guatemala. Colombians in Guatemala have successfully transported thousands of kilograms of cocaine to the United States utilizing these methods. Cocaine is generally brought into Guatemala by light aircraft and loads vary from 200 to 1,000 kilograms per shipment. It appears that the Colombians are taking advantage of the fact that Guatemala has no radar capability to monitor flights in remote areas, is situated halfway between the United States and Colombia, is within the range of most aircraft to carry loads of this size and has hundreds of privately owned and clandestine airstrips free of any enforcement control or capability.

Drug consumption is up in Guatemala because of the increased drug presence. Among the upper- and middle-class youth in Guatemala City, use of cocaine and marijuana appears to be fairly common. Unfortunately, the narcotics situation was not a major issue in the recent campaigns for President.

Another concern for the Committee is that of human rights. The government of Guatemala has increased their manual eradication efforts utilizing the Policia Militar Ambulante (PMA), a Ministry of

Defense entity, equipped, trained and mandated to undertake this type of field operation. In order for the PMA to expand the annual opium eradication program, they need financial support. Because the Guatemalan Ministry of Defense is accused of human rights violations, they are not eligible to receive State Department INM funds to support their manual opium poppy eradication projects. This puts the projects in jeopardy as the Guatemalan police agencies are neither trained nor equipped to conduct this type of paramilitary operation.

In December, 1990, after the Select Committee returned from its visit to Guatemala, the administration suspended $28 million in military aid because of Guatemala's failure to properly investigate allegations of human rights abuses.

In concluding the briefing, Ambassador Stroock asked for the Committee's support in urging Guatemala to revise their judicial system. Guatemala is a cosigner of the 1988 U.N. Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, yet their penal code contains only limited provisions relating to the cultivation, possession and sale of narcotics. Conspiracy laws do not exist in the Guatemalan legal system and drug traffickers can only be charged if found in possession of illicit narcotics. In addition, the justice system is ill-prepared to mount sophisticated narcotics investigations. Suspects are often released for "lack of evidence." To date, no senior official has been indicted for narcotics-related corruption.

The State Department has worked with Guatemalan lawyers on legislation to revise Guatemala's penal code and justice system. Included were new conspiracy provisions and the abolition of bail for major drug traffickers. The legislation will not make it through the Guatemalan Congress this year. The Ambassador asked the delegation to underscore this initiative when dealing with the new Guatemalan administration.

Meeting With Guatemalan President Cerezo

Chairman Rangel opened the meeting by explaining that the Committee had just completed a very cooperative visit in Mexico. The Mexicans, he pointed out, had dramatically increased their counter-narcotics efforts, which created the added danger that Guatemala would increasingly serve as a cocaine transshipment point for Colombian cocaine. The Chairman asked the President about the state of U.S.-Guatemalan relations.

The President stated that in general terms, relations were "pretty good." He stressed that Guatemala was struggling to build a democracy and overcome a guerrilla war. The United States had given economic support and this would be helpful in building democracy.

The President then discussed his agenda once he retires from the Presidency. He pointed out that he would be the active head of his party and would seek to strengthen it. He also would seek a seat on a newly created Central American Parliament in hopes of moving toward a unified Central America similar to the European Common Market. In addition, in his retirement, he would work to

raise awareness on environmental issues and try to coax the legislature into passing stronger environmental laws.

Chairman Rangel asked the President if he would be open to the idea of adding drugs to his post-Presidential agenda and using his influence to coax the leglislature into passing tougher laws.

Representative Coughlin added that President Bush was pushing to reduce demand for drugs in the United States. He applauded Guatemala's eradication efforts and pointed out that cocaine transshipment would grow as a problem. He then asked how the United States could be helpful with these problems.

The President said that his country was anxious to be helpful but that they lacked the technical means to fight sophisticated drug traffickers. He said government policy was to control the growth of illicit crops and to give people economic alternatives. He was pleased with the level of cooperation between the DEA and the national police and was encouraged by the work of the security forces and the army. He said there was concern that drug trafficking could corrupt the army and several officers were currently on trial for such an offense.

Drug trafficking in Guatemala, he said, was spread across a large area and this made operations difficult. He told the members that his country possessed helicopters but lacked the radar equipment needed to track suspects across these large areas.

The President then went on to discuss drug use among his people. He said that cocaine use was only a problem among the upper class and the Government had active prevention programs. He said that he represented a small conservative country and drug use was not really a widespread problem.

The President said that narcotics could be placed on his post-Presidential agenda and, in response to a question from Representative Guarini, he pointed out that both Presidential candidates had expressed concern about the narcotics issue. He also argued that false propaganda had accused one of the candidates of links to drug traffickers.

Representative Ortiz asked about news stories concerning human rights abuses by the army, including the killing of innocent peasants and an American. He inquired about how the members could help Guatemala solve these issues.

The President responded that indeed there were human rights abuses in Guatemala. He argued that some of these abuses were perpetrated by private landowners who opposed union organizing. But he admitted that the army had some problems. He said the legislature was preparing a national code to prosecute human rights offenders and pointed out that soldiers accused of killing an American were on trial. He said that an army garrison recently accused of killings would be moved from its present location.

Finally, he pointed out that Guatemala was a young democracy. He said they were headed in the right direction and that such abuses would be less commonplace as the democracy developed. He asked that his country not be judged by the same standards of a 200-year-old democracy. He pointed out that his police needed training to prevent abuses, but some countries withhold training because of abuses.

MEETING WITH PRESIDENTIAL CANDIDATE SERRANO

Chairman Rangel opened the meeting by discussing the improvements in U.S.-Mexican relations and by expressing his hope that similar improvements could be made in U.S.-Guatemalan relations. He emphasized that the presence of the delegation was not an effort to influence the election and an invitation to meet was also extended to the other candidate who declined.

Representative Coughlin pointed out the efforts of the U.S. Government to reduce the demand for drugs among U.S. citizens. He told Mr. Serrano that Americans were grateful for the eradication efforts of the Guatemalan Government, but there was increasing concern over the transshipment of cocaine en route to the United States. Mr. Coughlin expressed the desire to be of assistance to deal with this problem.

Representative Guarini told Mr. Serrano of the importance of the drug issue to the American people. He also expressed his desire to see trade heightened between the United States and Caribbean and Central American nations. He said this would raise the standard of living throughout the region.

Representative Ortiz and Representative Herger both expressed their desire to work with the new President in the future.

Mr. Serrano began by expressing his affection for the United States and told the members he had studied there. He said there were a number of major issues which he had expressed in the campaign.

First, he expressed his desire to return to the country a state of economic stability. This could be done, he argued, by reducing the Government debt and spending. He also wanted to establish a program of popular loans so that more citizens could buy businesses.

He then moved on to the issue of peace. He said that he had reached successful agreements with the guerrillas and in the process he had reassured the army about such talks. He said that only military weapons had been tried against the guerrillas and that negotiations were a powerful political weapon. He said he hoped the guerrillas would soon participate in the political process.

The second issue he stressed was law and order, including a respect for human rights. He argued that Guatemala would not be respected abroad until this problem was addressed. Guatemala, he said, needed to strengthen its judicial system, protect its judges, improve its laws, and better train and improve its police and army. He said that with more certain punishment in the courts, police would be less willing to take punishment in their own hands. He pointed out that this election represents the first transfer of civilian rule in the country's history. He said his challenge will be to gradually wean power from the military into civilian institutions. He said that if several violators of human rights could be brought to justice and jailed, that would curtail the problem.

He also discussed the drug issue. He pointed out the relative weakness of his country in relation to the traffickers. He said that wealthy traffickers could have an influence over his country's institutions.

The last issue raised by Mr. Serrano was trade. He said the free trade agreement between the United States and Mexico would

create opportunities and dangers. The opportunities would derive from being so close geographically to such a trading bloc. He also said that it may create dangers because he did not know what the effect would be on other countries such as Guatemala. He also vowed to cut red tape for Guatemala's exports.

Chairman Rangel closed the meeting by expressing his thanks to Mr. Serrano for meeting with the delegation during such a busy election period.

Visit to Eradication Base at Huehuetenango

After the meeting with Presidential candidate Serrano, a group from the delegation traveled with NAS Director Alan Smiley to tour the main crop eradication base at Huehuetenango, Guatemala (about 80 miles northwest of Guatemala City).

Before departing, the Huehuetenango Group viewed the Guatemala City flight facility and met with NAS contract aircraft maintenance personnel, employees of National Air Transport, Inc. (NATI). (Note: NATI is the current INM Air Wing contractor, which maintains and flies the Thrush spray aircraft). Mr. Smiley explained that the three T-65 Turbo-Thrush aircraft are based at the Guatemala City airport, while the Bell 212 helicopters (used for search and rescue and support of the Thrush) are based at Huehuetenango. The Guatemala operation consists of the six aircraft and 13 contract employees.

The group flew to Huehuetenango on the NAS' C-208 Cessna Caravan aircraft (8-seater) which, as Smiley explained, is used to assess weather conditions each day prior to deploying the Thrush spray aircraft and the helicopters, and for transporting personnel and supplies between Guatemala City and the field.

The pilot took the plane over some of the major opium growing areas to demonstrate how difficult the terrain is for a spray operation; fields are frequently located along the steep sides of ravines. Weather conditions compound the difficulty and restrict spraying largely to the morning. The terrain was indeed daunting and spoke to the tremendous skill of the pilots.

In Huehuetenango, the group met with the chief NATI helicopter pilot, Jose Barajas, who led a tour of the helicopter facility at the Huehuetenango Army Base, including the pilot housing and the new helipads still under construction; he stated that the helipads were authorized only after a serious accident which resulted in the loss of a helicopter and serious injury of two pilots—he said that the NATI pilots had been complaining about the risk long before the accident. He added that communication had improved tremendously with the arrival of NAS Director Smiley. The helicopters are piloted by one American pilot and one Guatemalan pilot; the door gunners are from the Guatemalan National Police.

Barajas explained the flow of the daily spraying routine and how the helicopters fly in support of the Thrush planes. The Thrush must make some very difficult maneuvers to spray the nearly-vertical fields so the helicopter pilots must often guide them. Despite the Embassy's estimate that they are eradicating 90% of the detected illicit opium crop, Barajas estimates that the operation is only eradicating ten percent of the total poppy crop under cultiva-

tion in Guatemala and believes that the operation should be expanded, at least to its former strength of three helicopters and four Thrush spray planes. He also indicated that the teams would be able to reach more of the drug crop if one of the helicopters could be rigged for spraying (note: The Bell-212 helicopters are used in Mexico and other countries for aerial eradication); spray "booms" are in storage in Guatemala City but INM has not authorized their use. The helicopters are much more costly to fly than the Thrush but Alan Smiley estimated that the savings on the very costly herbicide (Round Up) would largely offset increased fuel consumption.

Barajas took the group to examine the Bell-212s and showed them where the DEA-provided machine guns would be mounted; the eradication operations are becoming increasingly dangerous and the additional protection was desperately needed. Barajas provided a graphic description of the terrible fate of two Guatemalan pilots who were forced to land in trafficker/rebel territory. The Congressmen expressed concern and promised to follow up in Washington to ensure that the aircraft were armed properly.

On the return flight to Guatemala City, Alan Smiley briefed the group on the opium poppy growing cycles and explained that, with improved growing techniques and irrigation, three crops a year were possible. He also discussed the problem of coordinating ground and air interdiction operations with the DEA. The DEA officers would like to utilize NAS air support but are reluctant to include the NAS in planning for ground operations. Since there is little coordination among the Guatemalan forces, Smiley is concerned that a conflict between a DEA-assisted ground operation and an NAS-assisted aerial operation is inevitable. He indicated that this is something the Embassy is working to rectify.

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